

Remarks/Arguments

The application now comprises claims 1-9, dependent claims 6-9 have been added by the present amendment and claims 1 and 5 have been amended to set forth that the claimed device is capacitively coupled. Claims 6 – 9 recite features set forth in the specification in paragraph 0033, 0035 and 0036. Figure 6 has been amended to provide indicia indicating the capacitor 62 and paragraphs 0035 and 0036 have been amended to conform the specification to the initially filed drawings. Figure 6 as originally filed included an unlabeled 1MF capacitor, now labeled as 62. One skilled in the art will recognize that Fig 6 as originally filed included a capacitor as the standard double vertical line symbol for a capacitor was shown in the circuit diagram and therefore the reference to said capacitor added to paragraphs 0035 and 0036 does not constitute new matter.

Claims 1-5 were rejected under 35 USC §102(b) as being anticipated by Chiu (US Patent 5,174,440) in that Chiu discloses an upper portion/storage compartment 11, a lower portion/switch mechanism 20 and an output device/electronic component 53. Applicant has amended the claims to clearly set forth at least one of the distinguishing features of the claimed invention, none of which are shown or suggested by Chiu. The claims now all specify that the trigger output is fed by a capacitor. (i.e., capacitively connected).

A capacitor stores energy and when triggered releases that energy. In the circuit of Fig 6 a current from the 3V battery charges the capacitor. However, a capacitor does not allow steady current to flow through (ie it blocks DC current). When the base assembly of the claimed device is rotated the affixed conductor piece makes or breaks contact within the switch circuit. As shown in the drawings, the switch circuit is a low current voltage divider that is capacitively coupled to the wakeup port of the processor. Upon opening or closing of this circuit a pulse is generated that can pass from the capacitor into the processor without allowing any current draw to or from the processor. The capacitor stores the electric charge until the switch is triggered. By turning the base to align the contacts the capacitor is triggered providing energy to the sound chip releasing the sound, or in the alternative, other output devices until the capacitor is discharged. This arrangement minimizes energy drain from the battery. The switch remaining closed will charge the capacitor but will not continue to drain the battery and will not continue to feed the sound circuit. The switch must be rotated in order to retrigger the capacitor and release the output. In other words, the output (sound, for

example) is transmitted for a fixed period of time limited by the energy stored in the capacitor.

In contrast, the circuit and switch used in Chiu, as shown in Fig 3 and described at Col. 3, lines 47 – 60 directly connects the battery to the output device and must be manually switched off to stop the sound generating mechanism (Col 2, lines 58-60, 63-66). Chiu describes a device which continuously delivers a sound output once the product contained therein is elevated to a required height, thus causing the sound to be switched on. The product must be retracted manually by rotating the dispenser, retracting the lipstick, to turn off the device. If the user neglects to retract the lipstick the sound will continue and will rapidly dissipate the battery. In other words, Chiu operates like a portable radio or tape player; it provides sound when turned on and will continue to provide sound until disconnected. This is specifically one of the deficiency of prior devices that applicant has avoided by its unique mechanical and circuit design and it is the use of capacitive coupling in applicants' claimed product which provides the ability for applicant's device to trigger hundreds of repetitions of short, for example 10 sec., bursts of preprogrammed sound or other outputs. There is no requirement that the user turn off the sound generating system, such as in Chiu, as it incorporates a self limiting mechanism as a result of the use of the capacitor to provide bursts of energy to the sound generating circuit.

Claims 1-9 remain in the application. Dependent claims 6-9 have been added by this amendment. It is respectfully submitted that these claims are patentable, fully supported by the Specification and not shown by the prior art. It is requested that the claims be found to be patentable and a Notice of Allowance be issued.

Respectfully submitted,

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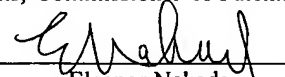
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